

**TEMPORARY
SECOND AMENDED**

NO. 66206-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 24 2000

Returned to applicant for correction _____

Corrected application filed APR 12 2000

Map filed APR 12 2000

The applicant **Fallon Paiute Shoshone Tribe**, hereby makes application for permission to change the **place of use of a portion** of water heretofore appropriated under **Final Decree in United States of America v. Orr Ditch Water Co., in equity No. A 3, Claim No. 3 T.C.I.D. Serial No. 712; Final Decree in United States of America v. Alpine Land & Reservoir Co., et al, Civil No. D-183 B.R.T.**

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **350 acre-feet**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **Lahontan Dam, being within SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.19N., R.26E. M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 13, T.19N., R.30E., M.D.B.&M. consisting of 40 irrigated acres, and NE $\frac{1}{4}$ Section 27, T.19N., R.30E., M.D.B.&M., consisting of 90 irrigated acres.**
8. Existing place of use **SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 20, T.19N., R.30E., M.D.B.&M., in Churchill County on the Fallon Paiute Shoshone Indian Reservation consisting of 100 acres**
9. Use will be from **As Decreed to end of irrigation season** of each year.
10. Use was permitted from **As Decreed to end of irrigation season** of each year.
11. Description of proposed works **Ditches already constructed**
12. Estimated cost of works **\$20,000**
13. Estimated time required to construct works **already constructed**
14. Estimated time required to complete the application of water to beneficial use **9 months**
15. Remarks:

By **Francis E. DuBois III**
s/Francis E. DuBois III, agent
8955 Mission Road
Fallon NV 89406

Compared my/ cmf dl/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2000** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 350.0 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 14th day of, April A.D. 2000

R. Michael Turnipseed, P.E.
State Engineer

EXPIRED
DATE NOV 15 2000